CLOSE TO HOME

"Trust me on this. If we want the dog to bond with the baby right away, he needs to eat all of his meals off your stomach during the third trimester."

Tax Commission Tweaks Shift in Property-Tax Burden

BY JUDY FAHYS
THE SALT LAKE TRIBUNE

Tax officials moved Friday to blunt a property-tax shift that has been expected for more than a year.

The Utah Tax Commission issued an internal policy directive to settle questions about some $25 million in property taxes — an amount all taxpayers might have been forced to assume because the valuations were declining for about 116 large, multicounty businesses.

The Legislature stepped in to buffer that shift during its 1998 session, tightening the definitions of what property can be counted in valuations.

On Friday, the four-member commission issued guidelines for state assessors by deciding what should and should not be included in the property-tax valuations for the big companies, which often are called "centrally assessed" taxpayers.

The guidelines "provide reason and guidance" that not only will temper the expected tax shift but also reduce any litigation over assessment disputes, said Commissioner Richard B. McKeown.

"These guidelines are going to help because they provide up front the way the Utah State Legislature wants to go with centrally assessed property."

Richard B. McKeown
Utah state tax commissioner

"These guidelines are going to help because they provide up front the way the Utah State Legislature wants to go with centrally assessed property," he said.

The affected centrally assessed businesses probably will be happy about the guidelines. They are airlines, telecommunications companies, railroads, utilities and pipelines.

Many of them had been complaining for years that the Property Tax Division was using assessment methods that exaggerated their property values, and their displeasure was reflected in the hundreds of tax appeals over the past decade.

Many of the large companies applauded the Tax Commission's initial ruling in the WilTel Communications case last spring. The new guidelines bow to that decision, while also tempering the shift.

In the new guidelines, the division is instructed to look at the way other states have valued similar centrally assessed properties.

"The division should be able to demonstrate that it has not arbitrarily pursued the highest value in the range" of acceptable values generally accepted for the properties, the guidelines say.

Rep. John Valentine said he worked with the commission on the policy statement.

"I am heartened by the Tax Commission's efforts to reduce the litigation by the large companies and to keep from shifting taxes to homeowners and small businesses," the Orem Republican said.

Valentine sponsored the bill to temper the tax shift.

The shift was expected to add $30 more tax for every $100,000 in property value when averaged statewide. The impact was expected to vary widely, with rural counties taking the hardest hits.

No one is certain how much the shift will be reduced because of the new law and new guidelines.

Ute Corporation Will Pursue Grievance Over Wildlife Management Outside Court

BY SHEILA R. MCCANN
THE SALT LAKE TRIBUNE

A federal judge Friday dismissed a lawsuit filed by the Ute Distribution Corp., which had sought a voice in the management of wildlife on the Uintah and Ouray Reservation in eastern Utah.

The corporation asked for the dismissal to allow it to pursue further administrative appeals within the federal government, said its attorney, Camille Johnson.

Senior U.S. District Judge Bruce Jenkins took the action without prejudice, meaning the lawsuit can be refiled later. The federal government and the Ute tribe, also named in the suit, said they did not oppose the dismissal at a brief hearing Friday.

The Ute Distribution Corp. (UDC) was incorporated in 1958 to represent the interests of the so-called "mixed blood" tribal members who were being terminated from the Ute tribe.

Proceeds from assets that easily could be divided were distributed to the terminated members. Assets that could not be divided practicaliy — such as oil, gas and mineral rights — were held in trust. The UDC was created to jointly manage those assets with the tribe.

The UDC learned in 1996 that the Ute Business Committee had received a proposal to sell live elk from reservation property. Corporation leaders protested to David Allison, superintendent for the Bureau of Indian Affairs (BIA), arguing they should be included in such wildlife decisions.

Allison rejected their objections in May 1997. The UDC appealed to the area BIA director. When no decision had been issued by January, the UDC filed its federal lawsuit, protesting the tribe's continuing sales and trades of elk for other animals.

The director issued a decision in February, again rejecting the UDC protest. Johnson said the UDC, having withdrawn its suit, will next appeal to the Interior Board of Indian Appeals.

The Ute tribe — backed by the BIA — asserts that it retains sole management of fish and game resources.

Individual terminated Utes kept their own rights to hunt and fish, but their children do not inherit those rights, courts have ruled. As the generation of terminated Utes, identified in final rolls in 1956, die, the UDC's interest in wildlife diminishes, Allison's decision said.

Johnson argues the UDC maintains a legal interest in reservation assets such as water and wildlife, in addition to oil and mineral rights.

FOR THE RECORD

FIRE VICTIM DIES

A 33-year-old woman died Thursday at Intermountain Burn Center in Salt Lake City, two weeks after a fire burned her Provo home. Julieanne Nelms was injured critically in the Feb. 26 blaze. She apparently was cleaning in the basement of her home at 791 N. 1000 East when the fire began, said Lynn Schofield of the Provo Fire Department. Cause of the fire has not been determined. Damage was estimated at $20,000.

□

POLICE RAID MAGAZINE SHOP

A Thursday night raid at a Salt Lake City business resulted in the seizure of 260 videotapes and several magazines and books which police consider pornographic. Much of the material was located in a back room and behind the front counter at Bob's Magazine Corner, 360 S. State, said Sgt. Ken Hansen. He said police were alerted by irate residents who had purchased videos and other items without difficulty.

□

ACCUSED: SEX WAS CONSENSUAL

Steven Francisco Deahl, 24, is in custody and facing charges of rape, aggravated sexual assault and forcible sodomy in an alleged attack earlier this month, according to court documents filed in 3rd District Court. The woman told police that after she accepted a ride from Deahl at a convenience store, he drove her to 1500 W. 1800 North in Salt Lake County where he hit her in the face and body and raped her three times. She said he later pushed her out of the car into the snow and mud, giving her a chance to escape. Deahl claimed consensual sex and told investigators he paid her $20 but she became upset and broke his windshield.

□

GANGSTER GOES TO PRISON

Another member of a six-man home-invasion robbery gang that specialized in preying on drug dealers went to prison Friday. Isaac Michael Ontiveros, 20, was sentenced to 5 years to life in prison by 3rd District Judge Frank Noel. The gang had robbed several drug dealers, but on Feb. 3, 1997, Ontiveros and others went to the Salt Lake County home of a man not tied to the drug culture, prosecutors say. The robbers beat the man and pointed guns at two children and their mother, but fled empty-handed. Fiame Manase Soifua, 21, Pasamino Limatua Jr., 18, and Taouma Maeaeafa Seve, 19, have been sent to prison. Still awaiting sentencing are 17-year-old Tui Aulaumea and the alleged ringleader, 40-year-old Joel Jody McDonald.

□

MICRON BLAZE

A Friday fire at the Lehi Micron plant sent one employee to the American Fork Hospital for treatment of smoke inhalation. The man was later released. The fire apparently began when workers, using heated torches, got too close to plastic materials, said Lehi Fire Chief Dale Ekins. About 30 Lehi and American Fork firefighters battled the 11:15 a.m. blaze for about 30 minutes before knocking down the flames. No one else was injured.

□

SKYWEST CHAIRMAN IMPROVES

The chairman of SkyWest Airlines was upgraded from critical to serious condition late Friday, a day after he was admitted to a California hospital with injuries suffered in a motorcycle accident. Jerry C. Atkin, chairman and chief executive officer of the St. George-based airline, was in California on business when the accident occurred, according to a family friend. He is being treated at Palomar Hospital in Escondido.

8 Law-Enforcement Officers Awarded Medals

THE ASSOCIATED PRESS

WEST VALLEY CITY — Eight law-enforcement officers have been honored by the Utah Peace Officers Association with medals for bravery in the line of duty.

Honored Thursday night with the Purple Heart award were Salt Lake County sheriff's Lt. Steve Alexander, Salt Lake County sheriff's Deputy Mike Quintana, Salt Lake City Officer Jeff Payne and West Valley police Det. Robert Idle.

Alexander was shot in the head by a suspect on Sept. 22, 1997, while assisting officers who were trying to serve a protective order at a Magna residence. Quintana was struck in the face by bullet shrapnel during the same Magna incident.

Payne, who in addition to working for Salt Lake City is a reserve officer in Davis County, was shot in the left shoulder by a suspect during a traffic stop.

Idle was injured during a traffic stop in West Valley City on Aug. 15, 1997. The suspect used an assault weapon to pummel Idle with five bullets. The injury left him with only partial use of one of his hands.

West Valley City police detectives Kory Newbold and Chad Evans received the Medal of Valor for their roles in the Aug. 15 shooting. Newbold pursued and caught the suspect who shot Idle, putting his own life at risk. Evans went to Idle's rescue.

Also receiving the Medal of Valor were Orem police Officer Bill Young and Wasatch County sheriff's Deputy Terry Brown. During a 1996 fire at a Wasatch County residence, both men ran into the home and rescued a disabled man. They escaped just moments before the roof of the home collapsed.

Young was a reserve officer for Wasatch County at the time of the fire.

The awards are presented annually by the association.

Hung Jury in Rape Trial of Guatemalan Man

THE ASSOCIATED PRESS

LOGAN — A 1st District Court jury deliberated for nearly six hours Friday before deciding they could not reach a verdict in the rape trial of a Guatemalan man accused of raping a local high school student.

Cache County Deputy Attorney Don Linton said he was disappointed with the hung jury, but said he thought that the seven men and one woman on the panel struggled hard with the case.

He said both sides are expected to meet April 6 to decide on a new trial date.

Juan Carlos Guevara Erazo said he did not rape the girl and pleaded not guilty to the charge. The girl spent a year trying to track Erazo down and bring him to court with the help of her school resource officer.

Speaking through an interpreter, Erazo denied going into hiding after the encounter and said he did not know he was being sought by police. Erazo said he had sex with the girl, but that it was consensual.

The alleged assault was reported in January 1997 after the girl broke down during a high-school counseling session. It was nearly a year before charges were filed in the case because the girl could not give police enough information to find the alleged assailant.

UTAH BRIEFS

INTERSECTION REOPENED

The Utah Transit Authority will reopen the intersection of 400 South and Main Street to east-west traffic Monday morning.

The intersection has been closed for the construction of TRAX light-rail construction. The 15-mile TRAX system linking Sandy and downtown Salt Lake City is scheduled to be in operation by March 2000.

□

PROVO SHELTER CLOSING

The state Division of Child and Family Services is shutting down its emergency children's shelter in Provo on March 31. DCFS officials said that since they changed methods for handling children in crisis, fewer children go to the shelter and it is no longer needed.

The shelter houses children endangered in a family crisis until a foster family is found to care for them. Since DCFS began placing children immediately into foster homes, the number of children going through the shelter has fallen dramatically, said Director Paul Curtis.

It costs $240,000 a year to run the shelter, Curtis said. Placing the children directly into a foster home is expected to save $40,000 to $50,000 annually.

Only three children are at the shelter, which is capable of holding 12. The number of children staying at the shelter in the past six months has been cut in half.

— The Associated Press

□

SOLVENT CAUSE OF ILLNESS

Vapors from an industrial cleaning solvent are being blamed for making five workers sick at the Tooele Chemical Agent Disposal Facility earlier this week.

Employees of EG&G Defense Materials, which operates the facility, complained of dizziness, headaches and nausea at about 10 p.m. Wednesday. All recovered quickly after they got fresh air and returned to work.

There was no chemical agent release or exposure. According to a news release on Friday, safety authorities are reviewing solvent handling procedures and worker training.

The $600 million chemical-weapons incinerator is located 50 miles west of Salt Lake City. The incinerator began destroying 42 percent of the nation's chemical-weapons arsenal in August 1996.

— The Associated Press

WANTED
People aged 13 to 30 with moderate facial acne to take part in a research study to test an investigational gel, applied to the skin. Only active medication will be used in this study. Females must not be pregnant or nursing. 11-week study with 5 office visits. Compensation given.
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Dermatology Research Center
(801)269-0135 weekdays
Leonard J. Swinyer, M.D., Investigator.

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